

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

United States

v.


Criminal No. 05-cr-174- 01-SM

Kelly Guay

ORDER

Re: Document No. 26, Letter/Motion for a Reduction of
Sentence and Modification of Term (of half-way house length
of time)

Ruling: Defendant's motion (letter) seeking a reduction or modification of her sentence is necessarily denied. The sentence is not subject to reduction by the court under the circumstances described, having become final and no direct appeal or collateral attack having been filed. And, the modification she seeks (two years to be served in a half-way house or community corrections center) is a matter for consideration by the Bureau of Prisons in the first instance. The Bureau is, of course, required to take into account individualized circumstances when determining a prisoner's eligibility for placement in a community corrections center. See Putnam v. Winn, 441 F. Supp. 2d 253 (D. Mass. 2006)."


Steven J. McAuliffe
Chief District Judge

Date: January 25, 2007

cc: Kelly Guay, pro se
US Probation Office